

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

MOTION GAMES, LLC

Plaintiff,

v.

NINTENDO CO., LTD.; NINTENDO OF
AMERICA INC.; RETRO STUDIOS, INC.;
RENT-A-CENTER, INC.; and GAMESTOP
CORP.,

Defendants.

Case No. 6:12-cv-878-JDL

JURY TRIAL DEMANDED

**ORDER GRANTING JOINT MOTION
TO AMEND THE [FIFTH] AMENDED DOCKET CONTROL ORDER**

Before the Court is Plaintiff, Motion Games, LLC (“Motion Games”), Defendants, Nintendo Co., Ltd; Nintendo of America, Inc.; Retro Studios, Inc.; Rent-A-Center, Inc.; and Gamestop Corp. (“Defendants”) Joint Motion to Amend the [Fifth] Amended Docket Control Order, Dkt. #251. The Court, after consideration, is of the opinion that said motion should be GRANTED.

IT IS, THEREFORE, ORDERED that the following schedule be adopted for the following deadlines:

<u>Current Deadline</u>	
October 13, 2015	9:00 a.m. JURY TRIAL at the United States District Court, 211 W. Ferguson, 2nd Floor, Courtroom of Judge John Love, Tyler, Texas
October 5, 2015	9:00 a.m. JURY SELECTION at the United States District Court, 211 W. Ferguson, 2nd Floor, Courtroom of Judge John Love, Tyler, Texas
September 17, 2015	9:00 a.m. PRETRIAL CONFERENCE at the United States District Court,

<u>Current Deadline</u>	
	211 W. Ferguson, 2nd Floor, Courtroom of Judge John Love, Tyler, Texas
September 15, 2015	Parties to file estimates of the amount of time they request at jury selection and trial for (1) voir dire, (2) opening statements, (3) direct and cross-examination, and (4) closing arguments.
September 10, 2015	Response to Motions in Limine Due.
September 3, 2015	Motions in Limine due.
September 3, 2015	Pretrial Objections due
August 21, 2015	Objections to Rebuttal Deposition Testimony Due
August 14, 2015	Rebuttal Designations and Objections to Deposition Testimony due.
August 4, 2015	Pretrial Disclosures due
July 15, 2015	Joint Pretrial Order, Joint Proposed Jury Instructions with citation to authority and Form of the Verdict for jury trials due.
May 15, 2015	Second mediation to be completed.
May 21, 2015	Parties to Identify Rebuttal Trial witnesses.
May 7, 2015	Parties to Identify Trial Witnesses; Amend Pleadings.
May 29, 2015	Response to Dispositive Motions (including Daubert motions) due.
May 1, 2015	Dispositive Motions due from all parties and any other motions that may require a hearing (including Daubert motions) due.
April 3, 2015	Discovery Deadline.
April 3, 2015	Deadline to File Letter Briefs for Summary Judgment Motions and Daubert Motions.
March 13, 2015	Parties designate rebuttal expert witnesses (non-construction issues), Rebuttal expert witness reports due.

<u>Current Deadline</u>	
January 30, 2015	Parties with burden of proof designate expert witnesses (non-construction issues). Expert witness reports due.
January 20, 2015	The parties shall file any motions to limit asserted claims or prior art.
January 9, 2015	Deadline to Limit Number of Asserted Prior Art References.
December 19, 2014	Deadline to Limit Number of Asserted Claims.

It is so Ordered.

So ORDERED and SIGNED this 23rd day of December, 2014.


JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE